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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,540	08/13/2001	Yoji Serizawa	35.C15681	6113

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EXAMINER

BRASE, SANDRA L

ART UNIT PAPER NUMBER

2852

DATE MAILED: 07/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/927,540

Applicant(s)

SERIZAWA, YOJI

Examiner

Sandra L. Brase

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it is too lengthy. Correction is required. See MPEP § 608.01(b).

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Drawings***

4. Figure 9 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsukuma et al. (JP 08-160680) in view of Konishi (US 5,950,036).

Matsukuma et al. (...680) discloses an image forming apparatus and method including: an image control portion (81) with a printer control portion that performs print control based on print information; a process cartridge means (20) that transmits and receives signals for a print control to and from the printer control portion, which executes an electrophotographic process according to signals for the print control ([0033] – [0036]), where the cartridge is detachably attachable to a main body of the image forming apparatus ([0030]); a non-volatile memory means (6) that stores operation information including information concerning an operation quantity of the process cartridge means (abstract; and [0028] – [0032]), where the memory is mounted in the process cartridge means (figures 1 and 2); a read/write control means (14) that performs control of operation information out of or into the non-volatile memory means, according to the print control from the printer control portion; and a switching means that switches the condition of the electrophotographic process based on the operation information stored in the non-volatile memory (abstract; and [0032]). However, Matsukuma et al. (...680) do not disclose the control portion receives information that includes print information from an external device, and the claimed switch timing determining means. Konishi (...036) discloses an image forming apparatus that includes a control portion that receives information including print information from an external device (101), where a printer control portion performs print control based on the print information (col. 5, lines 24-37). A switch timing determining means

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determines a switch timing of a condition for an electrophotographic process based on a state of the printer control portion (col. 7, lines 60-66). The switch timing determining means determines a time when the printer control portion is not in execution of the electrophotographic process as the switch timing, and where a switch timing can be a time when the electrophotographic process is not under way after completion of the print through a transmitted number of pages (col. 7, line 60 – col. 8, line 64). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the print information received from an external device since it is well known in the art for an image forming apparatus to receive image data from an external device, as disclosed by Konishi (...036), and it would have also been obvious to have the claimed switch timing determining means so that a condition can be switched at a desired time, as disclosed by Konishi (...036).

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsukuma et al. (JP 08-160680) in view of Konishi (US 5,950,036) as applied to claim 1 above, and further in view of Hagihara et al. (US 6,212,338).

Matsukuma et al. (...680) in view of Konishi (...036) disclose the features mentioned previously, but do not disclose the claimed type of non-volatile memory means. Hagihara et al. (...338) disclose a non-volatile memory means in the form of a ferroelectric memory on a cartridge in an image forming apparatus (col. 6, lines 19-41). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the non-volatile memory be in the form of a ferroelectric memory since such a non-volatile memory has a long life and is superior in rewriting durability, as disclosed by Hagihara et al. (...338).

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*Prior Art*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

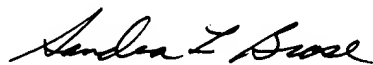
Onimura et al. (JP 09-120198), Suzuki (US 5,926,665), Hoshika et al. (US 5,956,541), and Yamamoto (US 6,205,298) disclose a process cartridge including a memory means.

*Contacts \ Inquiry*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra L. Brase whose telephone number is (703) 308-0725.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley, can be reached on (703) 308-1373. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 or 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Sandra L. Brase  
Primary Examiner  
Art Unit 2852

July 10, 2002